

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION

LYN LEWIS,

Plaintiff,

vs.

GLEN BABICH, et al.,

Defendants.

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Case No. 1:05CV15 RWS

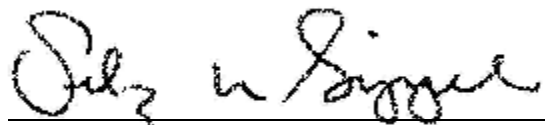
**MEMORANDUM AND ORDER**

This matter is before me on Defendant Dwyer's Motion to Dismiss [#16]. Dwyer's motion to dismiss is based on Plaintiff's original pro se Complaint. Plaintiff is now represented by counsel, and counsel has filed an Amended Complaint. As a result, Dwyer's motion to dismiss is moot and will be denied without prejudice.

Accordingly,

**IT IS HEREBY ORDERED** that Defendant Dwyer's Motion to Dismiss [#16] is **DENIED** without prejudice.

Dated this 8th Day of July, 2005.



RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE